

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Ruxlea Court, 357' N of
the c/l of Ruxton Road
(10 Ruxlea Court)
9th Election District
4th Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-345-A

Dr. Lawrence Halpert
Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 10 Ruxlea Court, located in the vicinity of Ruxton. The Petition was filed by the owner of the property, Dr. Lawrence Halpert. The Petitioner seeks relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 22 feet in lieu of the maximum permitted 15 feet for a proposed 1.5 story garage, and from Section 400.1 of the B.C.Z.R. to permit said garage to be partially located in the side yard in lieu of the required entire rear yard placement. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

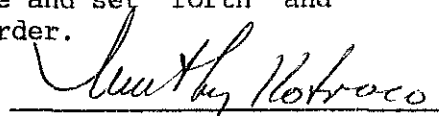
Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of May, 1995 that the Petition for Administrative Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 22 feet in lieu of the maximum permitted 15 feet for a proposed 1.5 story garage, and from Section 400.1 of the B.C.Z.R. to permit said garage to be partially located in the side yard in lieu of the required entire rear yard placement, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER FOR FILING
5/3/95
Dec
B

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 3, 1995

Dr. Lawrence Halpert
10 Ruxlea Court
Baltimore, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Ruxlea Court, 357' N of the c/l of Ruxton Road
(10 Ruxlea Court)
9th Election District - 4th Councilmanic District
Dr. Lawrence Halpert - Petitioner
Case No. 95-345-A

Dear Dr. Halpert:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Sara Schweizer
SMDA Architects, 1016 Morton Street, Baltimore, Md. 21201

People's Counsel

File

Zoning Description

ZONING DESCRIPTION FOR 10 RUXLEA COURT

(address)
Election District 9TH Councilmanic District 3

Beginning at a point on the WEST side of _____
(north, south, east or west)

RUXLEA COURT which is 50'
(street on which property fronts) (number of feet of right-of way width)

wide at a distance of 357' NORTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street RUXTON ROAD
(name of street)

which is 60' wide. *Being Lot # 2,
(number of feet of right-of-way width)

Block —, Section # — in the subdivision of

RUXTON WOODS as recorded in Baltimore County Plat
(name of subdivision)

Book # 37, Folio # 83, containing

16,483 S.F., 0.3784 AC
(square feet and acres)

341

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-345-A

District 9th

Date of Posting 4/14/95

Posted for: Variance

Petitioner: Dr Lawrence Halpert

Location of property: 10 Ruxton CT, W/S

Location of Signs: Facing roadway, on property being zoned

Remarks: _____

Posted by [Signature]

Signature

Date of return: 4/21/95

Number of Signs: 1





Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-345-A

Account: R-001-6150

Number # 341

Date

4/3/95

Taken by : JRF

HALPERT --- 10 Ruxlea Ct.

010 -- Variance -- \$50.00

050 -- Sign -- \$35.00

\$85.00

APPROVED

DIAGNOL04MTCRC

\$85.00

BA 001127AMD4-04 95

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 341

Petitioner: DR. LAWRENCE HALPERT

Location: 10 RUXLEA CT. BALTO MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DR. LAWRENCE HALPERT

ADDRESS: 10 RUXLEA CT.

BALTO. MD. 21204

PHONE NUMBER: 828-4182

AJ:ggs

(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 17, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-345-A (Item 341)
10 Ruxlea Court
W/S Ruxlea Court, 357' N of c/l Ruxton Road
9th Election District - 4th Councilmanic
Legal Owner: Dr. Lawrence Halpert

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) The sign on your property should remain standing up to 4:30 p.m. on the closing date. The closing date (May 1, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After this date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Dr. Lawrence Halpert
Sarah Schweitzer, AIA



RECEIVED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 26, 1995

Dr. Lawrence Halpert
10 Ruxlea Court
Baltimore, Maryland 21204

RE: Item No.: 341
Case No.: 95-345-A
Petitioner: L. Halpert, et al

Dear Dr. Halpert:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by, the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 3 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 20, 1995

SUBJECT: Variance Requests

INFORMATION:

Item Numbers: 341, 342, 345, 348, 349, and 351

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol Kerns

PK/JL

Baltimore County Government
Fire Department

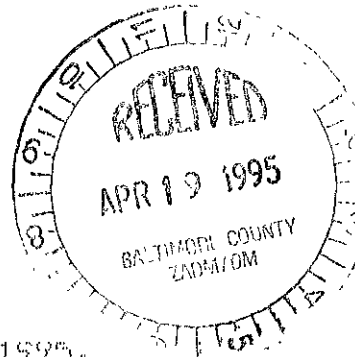


700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/19/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105



RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 17, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 341, 342, 344, 345,
347, 348, 349, 350 AND 351.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS 1107F

cc: File

WICKS/FILMED



Joyce Watson
EAC Comments

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: ZADM

DATE: 4/28/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: 4/17/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 341 ✓

344

345

348

349

350

351

LS:sp

LETTY2/DEPRM/TXTSBP



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

4-14-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 341 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

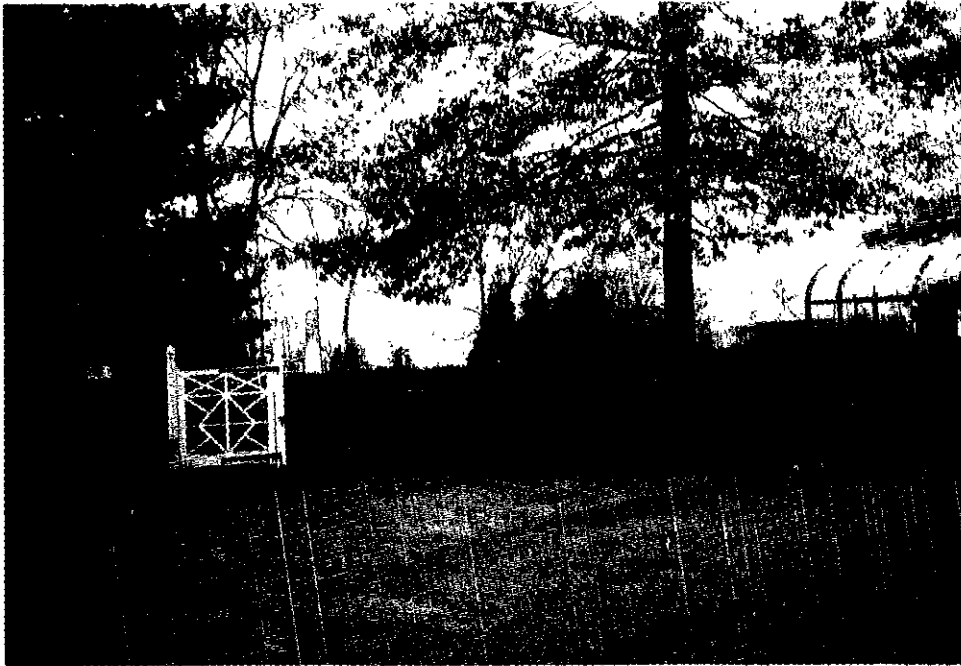
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



PROPOSED LOCATION OF NEW GARAGE
LOOKING WEST.



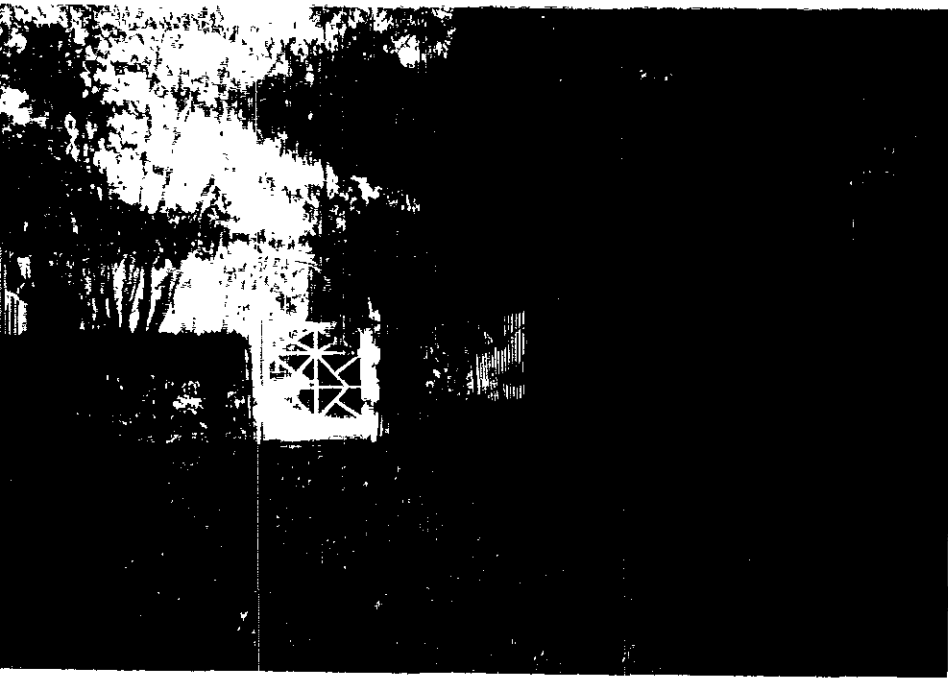
PROPOSED LOCATION OF NEW GARAGE
LOOKING EAST (TOWARD RUXLEA COURT)

#341

MICROFILMED

75-345-A

VIEW OF EXIST. HOUSE
FROM EAST. NOTE
STEEP ROOF PITCHES.

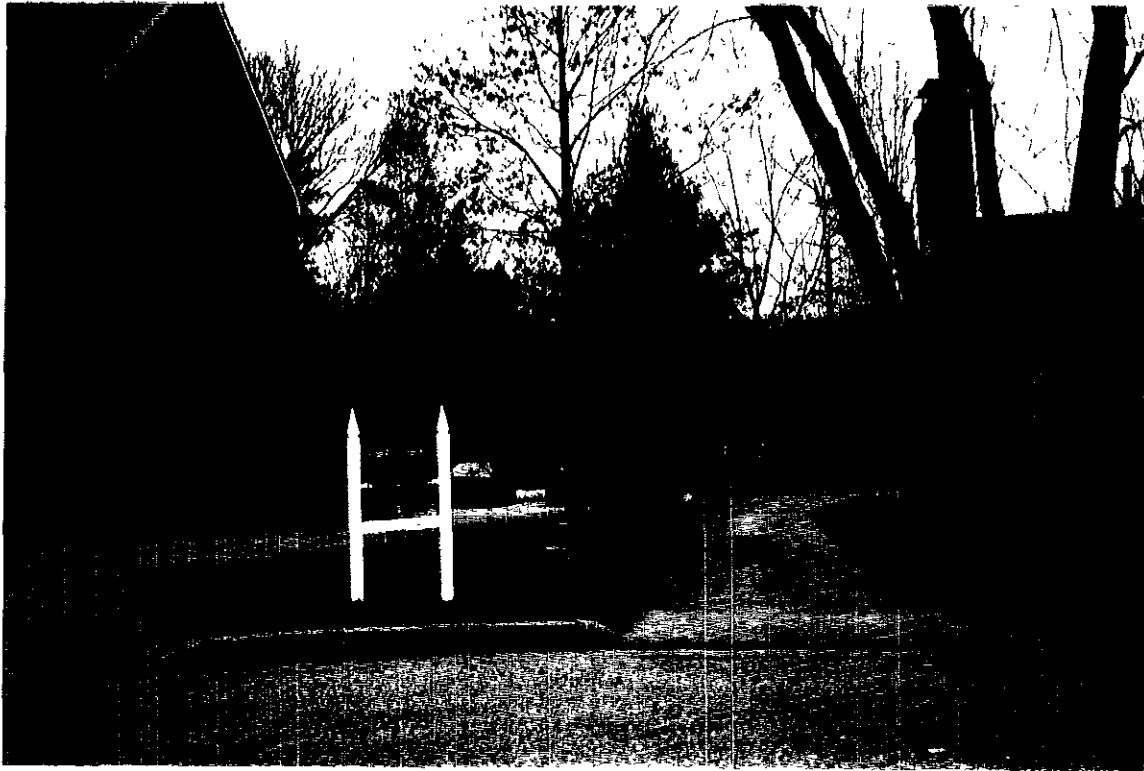


VIEW OF R AT LOCATION
OF PROPOSED GARAGE B/T
LOTS #9 & #10.

#341

VIEW OF EXIST. HOUSE
FROM NORTH. PROPOSED
GARAGE TO BE BEYOND
EXIST. GREENHOUSE.





VIEW DIRECTLY WEST, UP PROPERTY LINE
BETWEEN LOTS #9 & #10.



EXISTING NEIGHBOR, LOT #10.



EXISTING HOUSE, LOT#2. EAST ELEVATION



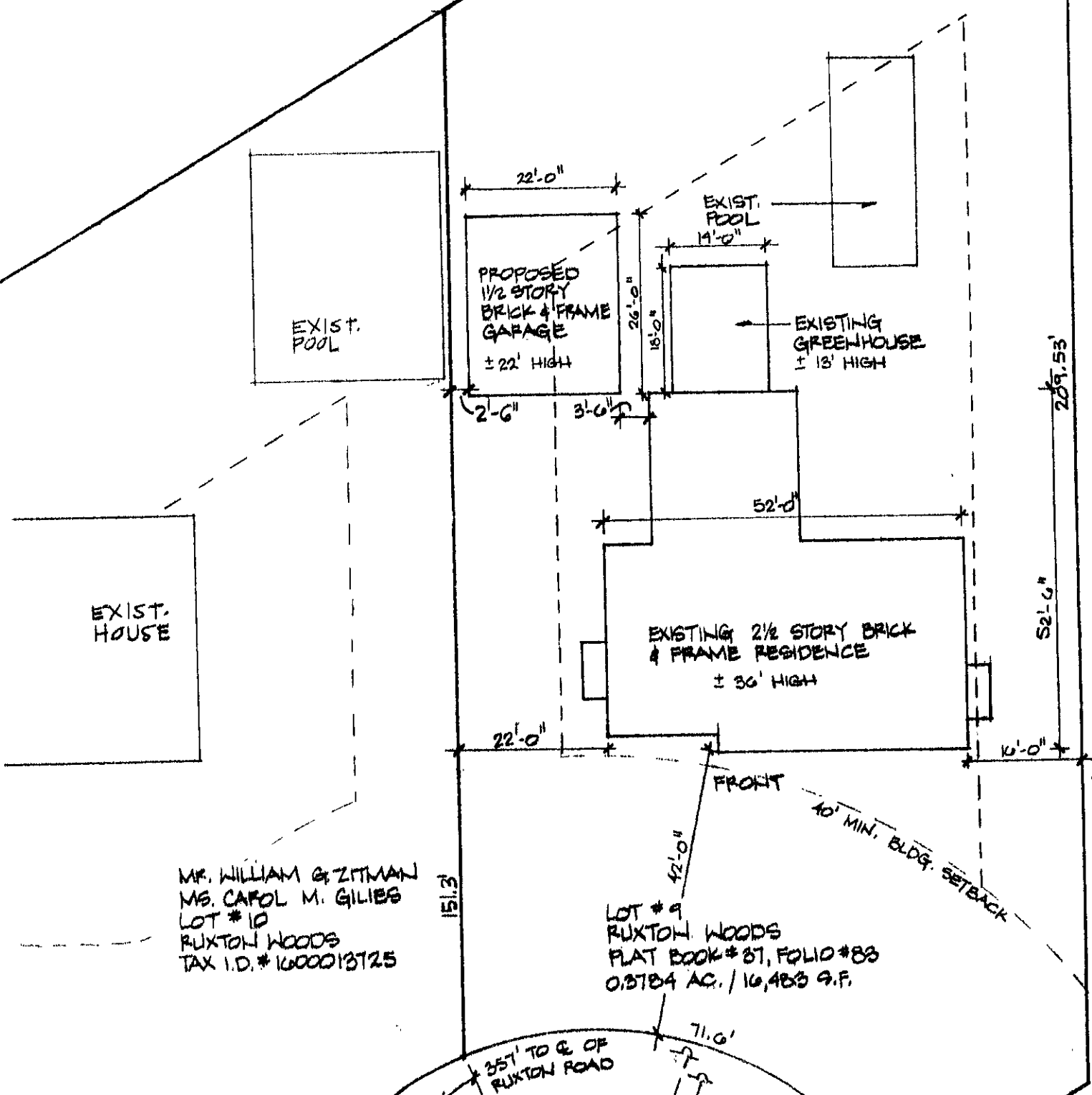
LOT #8, NO EXISTING STRUCTURES, LOOKING NORTH #341

Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 10 RUXLEA COURT
Subdivision name: RUXTON WOODS
plat book # 37, folio # 83, lot # 9, section #
OWNER: DR. LAWRENCE F. HALPERT

95-345-A

MS. CONSTANCE W. THOMPSON
LOT # 11
RUXTON WOODS
TAX I.D. # 1600013726

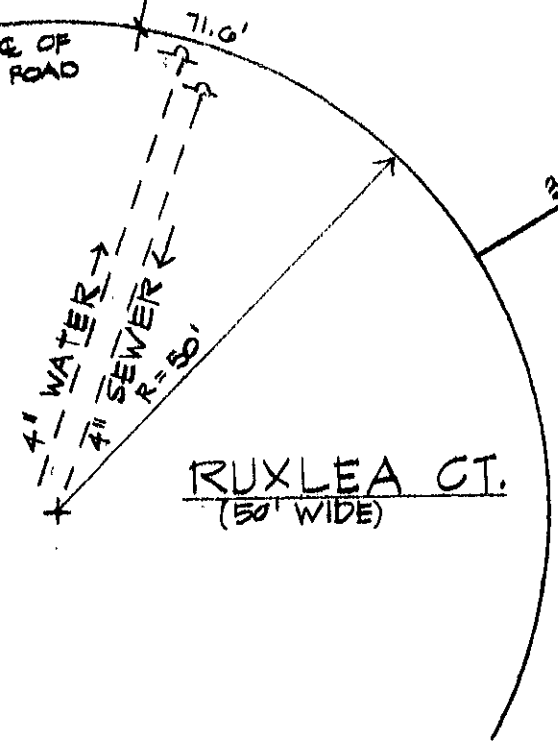
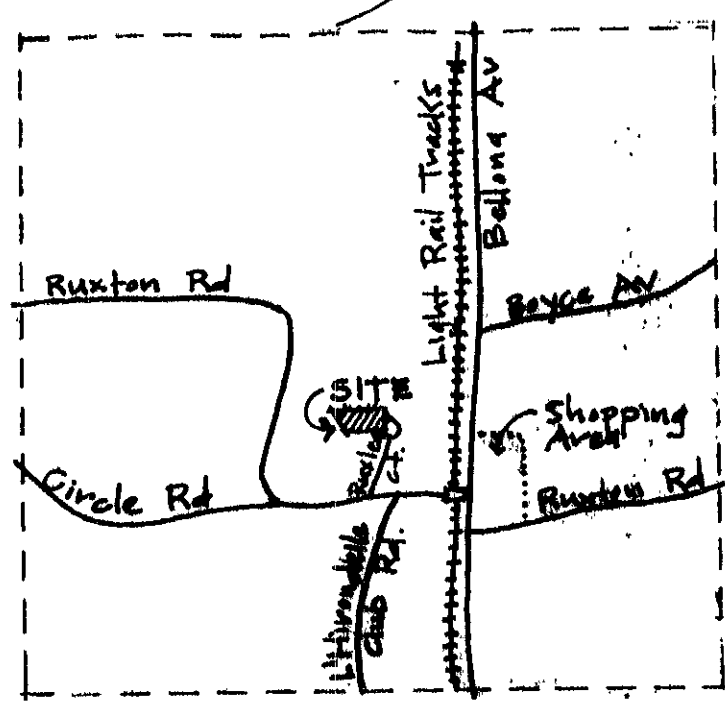


NO STRUCTURES
THIS LOT.

DR. LAWRENCE F. HALPERT
LOT # 8
RUXTON WOODS
TAX I.D. # 1600013723

MR. WILLIAM G. ZITMAN
MS. CAROL M. GILIES
LOT # 10
RUXTON WOODS
TAX I.D. # 1600013725

LOT # 9
RUXTON WOODS
PLAT BOOK # 37, FOLIO # 83
0.3784 AC. / 16,483 S.F.



MICROFILMED



LOCATION INFORMATION	
Election District:	9TH
Geographic District:	C3
1"=200' scale map#:	N.W. 10-B
Zoning:	DR-2
Lot size:	0.3784 AC acreage
	16,483 S.F. square feet
SEWER:	<input checked="" type="checkbox"/> public <input type="checkbox"/> private
WATER:	<input checked="" type="checkbox"/> public <input type="checkbox"/> private
Chesapeake Bay Critical Area:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Prior Zoning Hearings:	N/A
Zoning Office USE ONLY	
Reviewed by:	ITEM #: CASE#:
<i>JF</i>	341



Petition for Administrative Variance

95-345-A

to the Zoning Commissioner of Baltimore County

for the property located at 10 Ruxlea Court

which is presently zoned DR-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

400.3 To allow an accessory building a height of 22' in lieu of the 15' maximum.

AND

400.1 To allow the same partially in the side yard in lieu of the required rear yard.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Because of the extremely steep pitch of the existing house roof (12:12), and in order for the new garage to be in keeping with the style and form of the existing house, and to keep the eave height consistant between the new and existing buildings, the overall height of the new garage must be +/- 21'-9".

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Dr. Lawrence Halpert

(Type or Print Name)

Lawrence Halpert

Signature

(Type or Print Name)

Signature

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

10 Ruxlea Court 828-4189
Address Phone No.

Baltimore, MD 21204
City State Zipcode
Name, Address and phone number of representative to be contacted.

Sarah Schweizer, AIA SMDA Architects
Name

1016 Morton Street 685-3582
Address Phone No.
Baltimore MD 21201

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: JP

DATE: 4/13/95

ESTIMATED POSTING DATE: 4/16/95

Printed with Soybean Ink
on Recycled Paper

ITEM #: 341

ORDER RECEIVED FOR FILING



By

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 10 Ruxlea Court
address

Baltimore MD 21204
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

Because of the extremely steep pitch of the existing house roof (12:12),
and in order for the new garage to be in keeping with the style and form
of the existing house, and to keep the eave height consistent between
the new and existing buildings, the overall height of the new garage
must be +/- 21'-9".

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Dr. Lawrence Halpert

(signature)

(type or print name)



(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3 day of April, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dr. Lawrence Halpert

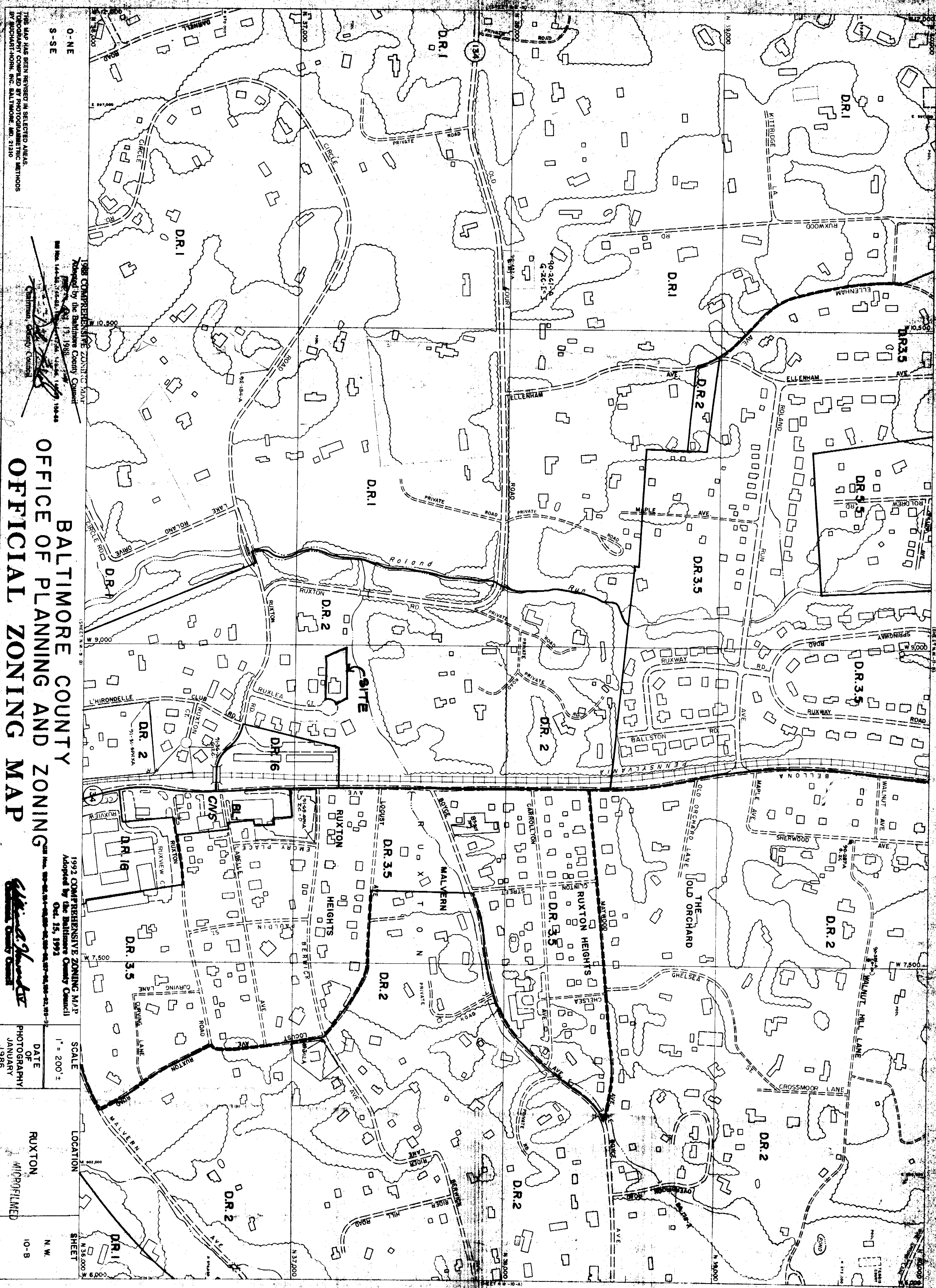
the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4/3/95
date

Patricia J. McCarty
NOTARY PUBLIC

My Commission Expires: 6/96



THE MAP HAS BEEN REVIEWED IN SELECTED AREAS
BY THE BALTIMORE COUNTY COMMISSION
ON OCTOBER 15, 1992
BY BALTIMORE COUNTY COMMISSION
BY BALTIMORE COUNTY COMMISSION

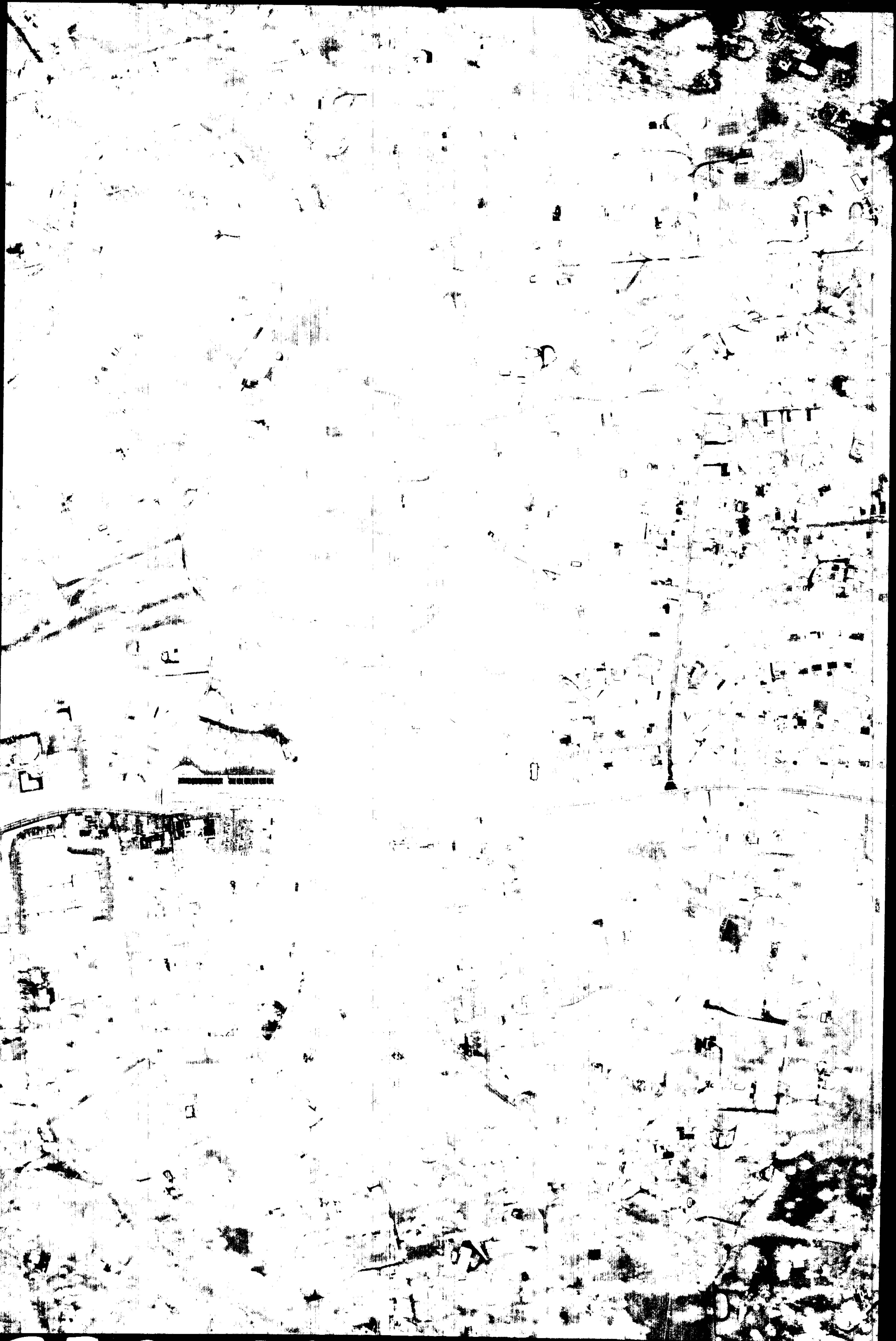
1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
On October 15, 1988
BY BALTIMORE COUNTY COMMISSION
BY BALTIMORE COUNTY COMMISSION

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
On October 15, 1992
BY BALTIMORE COUNTY COMMISSION
BY BALTIMORE COUNTY COMMISSION

SCALE	1" = 200'
DATE OF PHOTOGRAPHY	JANUARY 1986
LOCATION	RUXTON, MARYLAND
SHEET	N.W. 10-B

95-345-A



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE	1" = 200' ±
LOCATION	RUXTON
DATE OF PHOTOGRAPHY	JANUARY 1965
SHEET	10-B

95-345-A

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Ruxlea Court, 157' N of
the c/l of Ruxton Road
(10 Ruxlea Court)
9th Election District
4th Councilmanic District
Dr. Lawrence Halpert
Petitioner * * * * *

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 95-345-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 10 Ruxlea Court, located in the vicinity of Ruxton. The Petition was filed by the owner of the property, Dr. Lawrence Halpert. The Petitioner seeks relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 22 feet in lieu of the maximum permitted 15 feet for a proposed 1.5 story garage, and from Section 400.1 of the B.C.Z.R. to permit said garage to be partially located in the side yard in lieu of the required entire rear yard placement. The subject property and relief sought are more particularly described on the site plan submitted with the Petition filed and marked into evidence as Petitioner's Exhibit 1.

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The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion

of the Deputy Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of May, 1995 that the Petition for Administrative Variance seeking relief from Section 400.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit an accessory structure height of 22 feet in lieu of the maximum permitted 15 feet for a proposed 1.5 story garage, and from Section 400.1 of the B.C.Z.R. to permit said garage to be partially located in the side yard in lieu of the required entire rear yard placement, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

- 2 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

May 3, 1995

Dr. Lawrence Halpert
10 Ruxlea Court
Baltimore, Maryland 21204

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Ruxlea Court, 357' N of the c/l of Ruxton Road
(10 Ruxlea Court)
9th Election District - 4th Councilmanic District
Dr. Lawrence Halpert - Petitioner
Case No. 95-345-A

Dear Dr. Halpert:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Ms. Sara Schweizer
SMDA Architects, 1016 Morton Street, Baltimore, Md. 21201

People's Counsel

File

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) were competent to testify thereon in the event that a public hearing is held in the future with regard thereto.

That the Affiant(s) presently reside at
10 Ruxlea Court
Baltimore, MD 21204
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hereto or practical difficulty)

Because of the extremely steep pitch of the existing house roof (12:12), and in order for the new garage to be in keeping with the style and form of the existing house, and to keep the eave height consistent between the new and existing buildings, the overall height of the new garage must be +/- 21'-9".

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Dr. Lawrence Halpert
Signature
Date of filing

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 3 day of April, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Dr. Lawrence Halpert
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

4/3/95
My Commission Expires: 6/96

Peterson & M. C. Carty
Notary Public

Zoning Description

ZONING DESCRIPTION FOR 10 RUXLEA COURT

Election District 01H (address)
Councilmanic District 3

Beginning at a point on the WEST side of
(north, south, east or west)

RUXLEA COURT which is 50'
(street on which property fronts) (number of feet of right-of-way width)

wide at a distance of 357' NORTH of the
(number of feet) (north, south, east or west)

centerline of the nearest improved intersecting street RUXTON ROAD
(name of street)

which is 60' wide. "Being lot # 2
(number of feet of right-of-way width)

Block ---, Section # --- in the subdivision of
RUXTON WOODS as recorded in Baltimore County Plat
(name of subdivision)

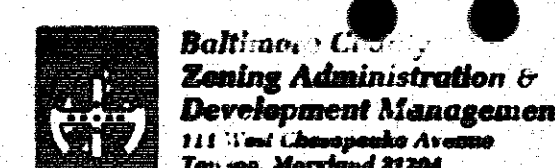
Book # B1, Folio # 83, containing
16,483 S.F., 0.3784 AC.
(square feet and acres)

341

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 04 Date of Posting 4/14/95
Posted for Variance
Petitioner Dr. Lawrence Halpert
Location of property 10 Ruxlea Ct. W/S
Location of Sign Along Roadway on property being zoned
Remarks See attached
Posted by Dr. Lawrence Halpert Date of return 4/21/95
Number of Signs 1



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-0190

Number # 341

Date 4/13/95

HALPERT 10 Ruxlea Ct.

OIO .. Variance .. \$ 50.00

O&O .. Sign \$ 35.00

\$ 85.00

Taken by: JRF

STANDARD CHARGES
PAID BY BALTIMORE COUNTY

\$85.00

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Arnold Jablon
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 341

Petitioner: DR. LAWRENCE HALPERT

Location: 10 RUXLEA CT. BALTO MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: DR. LAWRENCE HALPERT

ADDRESS: 10 RUXLEA CT.

BALTO. MD 21204

PHONE NUMBER: 828-4182

AJ:ggg

(Revised 04/09/93)

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 17, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 95-345-A (Item 341)
10 Ruxlea Court
W/S Ruxlea Court, 357' N of c/l Ruxton Road
9th Election District - 4th Councilmanic
Legal Owner: Dr. Lawrence Halpert

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refrain regarding the administrative process.

1) The sign on your property should remain standing up to 4:30 p.m. on the closing date. The closing date (May 1, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After this date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) order that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Arnold Jablon
Director

cc: Dr. Lawrence Halpert
Sarah Schweizer, AIA

Printed with Soybean Ink
on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

April 26, 1995

Dr. Lawrence Halpert
10 Ruxlea Court
Baltimore, Maryland 21204

RE: Item No.: 341
Case No.: 95-345-A
Petitioner: L. Halpert, et al

Dear Dr. Halpert:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approving agencies, has reviewed the plans submitted with the above referenced petition. Said petition was accepted for processing by the Office of Zoning Administration and Development Management (ZADM), Development Control Section on April 3 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties; i.e., zoning commissioner, attorney, petitioner, etc. are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,
W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

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on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Director
Office of Planning and Zoning

DATE: April 20, 1995

SUBJECT: Variance Requests

INFORMATION:

Item Numbers: 341, 342, 345, 348, 349, and 351

SUMMARY OF RECOMMENDATIONS:

While staff does not oppose the requested Variances, it is clear that the petitioners will need to satisfy the burden imposed upon them to prove practical difficulty and/or unreasonable hardship to justify the granting of the subject Variances.

Prepared by: *Jeffrey M. Ziegler*

Division Chief: *Carol Keller*

PK/JL

ITEM341/PZONE/ZAC1

Flat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

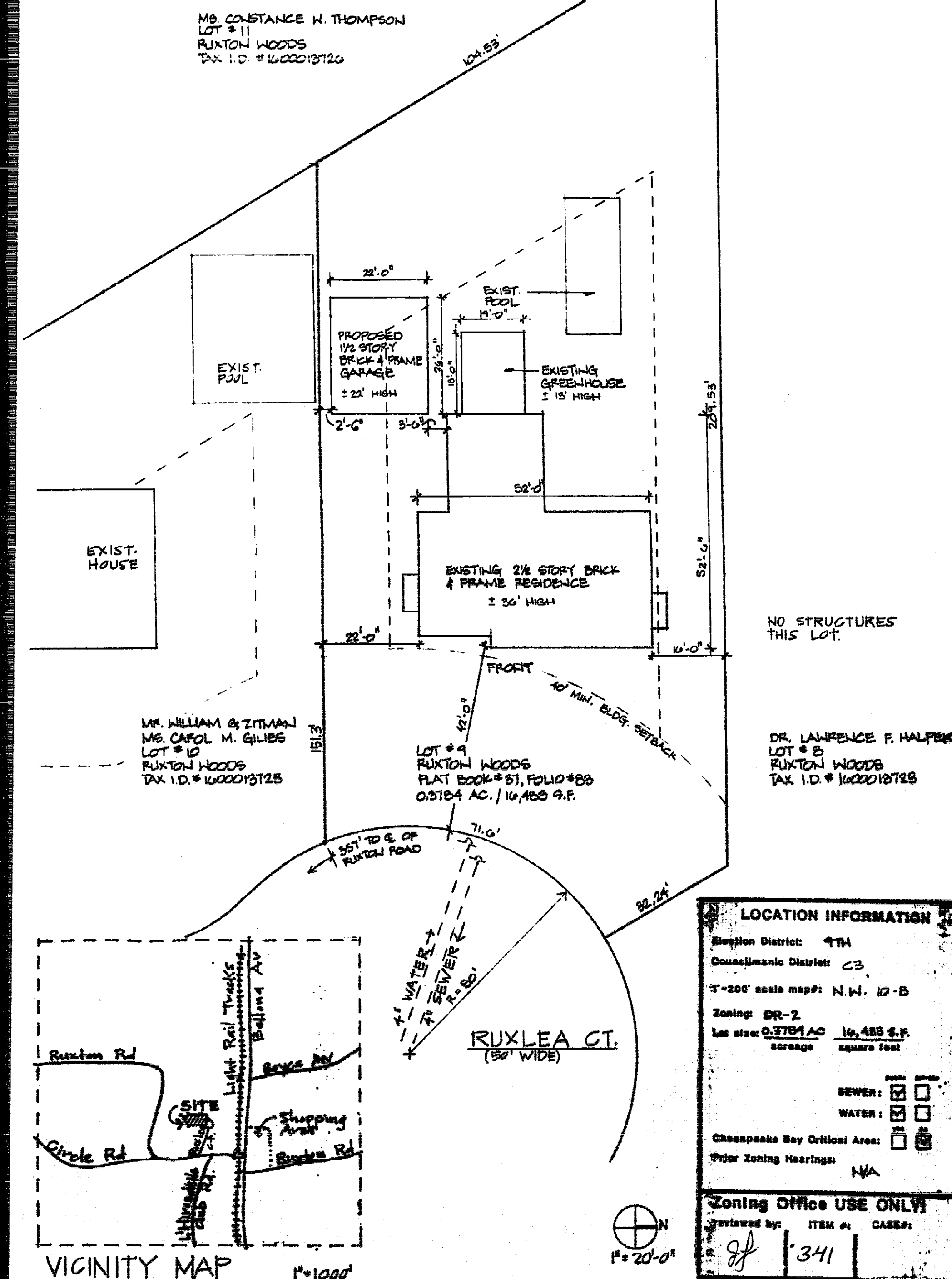
PROPERTY ADDRESS: 10 RUXLEA COURT

Subdivision name: RUXTON WOODS

plat books 37, folio 83, lot 9, section 1

OWNER: DR. LAWRENCE F. HALPERT

95-345-A



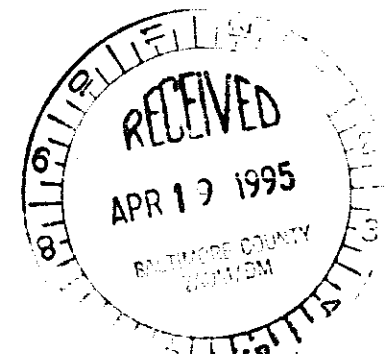
Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

DATE: 04/19/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105



RE: Property Owner: SEE BELOW

LOCATION: DISTRIBUTION MEETING OF APR. 17, 1995.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 341, 342, 344, 345, 347, 348, 349, 350 AND 351.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed on Recycled Paper

Joyce Watson
Joyce Watson
BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: ZADM
FROM: DEPRM
Development Coordination
SUBJECT: Zoning Advisory Committee
Agenda: 4/17/95

DATE: 4/28/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee items:

Item #'s: 341
344
345
348
349
350
351

LS:sp

LETTY2/DEPRM/TXTS8P



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 341 (JRF)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,
Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

My telephone number is

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202



PROPOSED LOCATION OF NEW GARAGE
LOOKING WEST



PROPOSED LOCATION OF NEW GARAGE
LOOKING EAST (TOWARD RUXLEA COURT)

241

VIEW OF EXIST. HOUSE
FROM EAST. NOTE
STEEP ROOF PITCHES.



VIEW OF PL AT LOCATION
OF PROPOSED GARAGE BT
LOTS #8 & #10.

VIEW OF EXIST. HOUSE
FROM NORTH. PROPOSED
GARAGE TO BE BEYOND
EXIST. GREENHOUSE.



VIEW DIRECTLY WEST, UP PROPERTY LINE
BETWEEN LOTS #9 & #10.



EXISTING NEIGHBOR, LOT #10.

241



EXISTING HOUSE, LOT #9 EAST ELEVATION



LOT #8, NO EXISTING STRUCTURES, LOOKING NORTH

241



1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1988
Map No. 144-08, 170-08, 171-08, 172-08, 173-08, 174-08, 175-08, 176-08, 177-08, 178-08, 179-08, 180-08

Chairman, County Council

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

1992 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
Oct. 15, 1992
Map No. 181-02, 182-02, 183-02, 184-02, 185-02, 186-02, 187-02, 188-02, 189-02, 190-02, 191-02, 192-02, 193-02, 194-02, 195-02, 196-02, 197-02, 198-02, 199-02, 200-02

Chairman, County Council

O - NE S - SE	SCALE 1" = 200' ±	LOCATION RUXTON	SHEET N.W. 10-B
DATE OF PHOTOGRAPHY JANUARY 1986			

95-345-A

#341



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1988

LOCATION
RUXTON

#341

SHEET
N.W.
10-B

MICROFILMED

95-345-A